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Deborah Crouch, Group 1632

US Patent and Trademark Office

DATE:

September 11, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of ) Group Art Unit; 1632 Boutin ) Examiner: D. Crouch Appln. No. 10/010,114 Filed: November 13, 2001 MULTIFUNCTIONAL MOLECULAR ) September 10, 2003 COMPLEXES FOR GENE THERAPY TO CELLS ) ) Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### RESPONSE UNDER 35 USC § 121

Sir:

This paper is in timely response to the Office Action dated August 13, 2003 and issued for restriction purposes. Please enter the following election.

#### Election of the Claims

Applicant provisionally elects claim 3 of Group I, drawn to a method for the transfer of a nucleic acid composition to cells comprising the step of introducing to a multifunctional complex into cells comprising a nucleic acid composition and a transfer moiety where the nucleic acid encodes therapeutic agents, and linking claims 1-2, 4-9, and 17-48. Applicant reserves the right to prosecute the non-elected claims in divisional applications filed during the pendency of the present application.

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